

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

TERRY SPURGEON, as custodian for the )  
benefit of James E. Spurgeon, individually and )  
on behalf of all others similarly situated, )  
 )  
Plaintiff, )  
v. )  
 )  
PACIFIC LIFE INSURANCE COMPANY, )  
 )  
Defendant. )

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JAMES E. SPURGEON, individually and )  
on behalf of all others similarly situated, )  
 )  
Plaintiff, )  
v. )  
 )  
PACIFIC LIFE INSURANCE COMPANY, )  
 )  
Defendant. )

Case No. 06-cv-983-GPM

**PACIFIC LIFE INSURANCE COMPANY'S NOTICE  
OF ADOPTION OF MEMORANDUM IN SUPPORT OF MOTION TO DISMISS**

Now comes defendant, PACIFIC LIFE INSURANCE COMPANY, by and through its undersigned attorneys, hereby gives notice that Pacific Life adopts the Memorandum of Law in Support of its Motion to Dismiss that Pacific Life filed in case number 06-cv-925, Doc. No. 4.

Dated: December 5, 2006

Respectfully submitted,

PACIFIC LIFE INSURANCE COMPANY  
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Certificate of Service

The undersigned certifies that on this 5th day of December 2006, a copy of the foregoing has been served upon the attorneys of record through operation of the Court's ECF system which will electronically send notice of said filing to:

Stephen M. Tillery – stillery@koreintillery.com

and by U. S. Mail, by enclosing same in envelopes addressed as below, with proper first class postage fully prepaid, and depositing same in the U. S. Mail at Edwardsville, Illinois, at 5 p.m.:

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